

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

**FILED**

SEP 17 2020

Clerk, U.S. District Court  
Texas Eastern

UNITED STATES OF AMERICA

v.

LAVARA GERAY HINTON (01)  
PERRY CORNELIUS HINTON (02)  
ALEX CHRISTOPHER HINTON (03)  
DAVID WAYNE ANDERSON (04)  
DEVIN LEE PELZL (05)  
LEON ALLISON (06)

Case No. 6:20-CR-73

JUDGES JCB/JDL

**INDICTMENT**

THE UNITED STATES GRAND JURY CHARGES:

**COUNT 1**

Violation: 21 U.S.C. § 846  
(Conspiracy to Possess with the Intent to  
Distribute and Distribution of a  
Controlled Substance  
(Methamphetamine)).

From on or about August 2017, the exact date being unknown to the Grand Jury, and continuing thereafter until the date of this indictment, in the Eastern District of Texas and elsewhere, **Lavara Geray Hinton, Perry Cornelius Hinton, Alex Christopher Hinton, David Wayne Anderson, Devin Lee Pelzl, and Leon Allison**, defendants, knowingly and intentionally conspired and agreed with each other, and with persons known and unknown to the Grand Jury, to violate a law of the United States of America, to wit, 21 U.S.C. § 841(a)(1), prohibiting the possession with intent to distribute and distribution of 50 grams or more of actual methamphetamine or 500 grams or more of a

mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

All in violation of 21 U.S.C. § 846.

**COUNTS 2-19**

Violation: 18 U.S.C. § 924(c)  
(Possession of a Firearm in Furtherance  
of a Drug Trafficking Crime)

On or about the dates listed below, in the Eastern District of Texas, the Defendants listed below, did knowingly use and carry a firearm or firearms during and in relation to, and did knowingly possess the firearm or firearms in furtherance of, a drug trafficking crime for which each may be prosecuted in a court of the United States, that is, conspiracy to possess with intent to distribute and distribution of a controlled substance, in violation of 21 U.S.C. § 846, as charged in Count 1:

<b>Count</b>	<b>Date</b>	<b>Defendant(s)</b>	<b>Firearm(s)</b>
<b>2</b>	September 12, 2017	<b>Lavara Geray Hinton</b>	Davis Industries .380 caliber handgun
<b>3</b>	June 25, 2019	<b>Lavara Geray Hinton</b>	HiPoint Model C-9, 9mm caliber handgun
<b>4</b>	July 9, 2019	<b>Lavara Geray Hinton</b>	Sig Sauer Model P238, .380 caliber handgun; Bersa Model BP40CC, .40 caliber handgun
<b>5</b>	August 12, 2019	<b>Lavara Geray Hinton</b>	Taurus Model 709 Slim, 9mm caliber handgun
<b>6</b>	September 4, 2019	<b>Lavara Geray Hinton</b>	Weirach Herman (Arminius) .38 caliber handgun
<b>7</b>	September 5, 2019	<b>Lavara Geray Hinton</b>	Remington Model 700, .25-06 caliber rifle

8	September 12, 2019	<b>Lavara Geray Hinton</b>	Remington Model 58, 12 gauge shotgun; Mossberg Maverick Model 88, 12 gauge shotgun
9	September 18, 2019	<b>Lavara Geray Hinton</b>	ISHMASH Baikal Model IZH-27EM-1C, 12 gauge shotgun; Berretta Model 92 Compact L, 9mm caliber handgun; Marlin Model 60, .22 caliber rifle
10	September 26, 2019	<b>Lavara Geray Hinton</b>	Savage Model 110, 7mm rifle
11	October 13, 2019	<b>Lavara Geray Hinton</b>	Remington Model 710, 7mm caliber rifle; Ruger Model M77 Mark II, .270 caliber rifle
12	November 5, 2019	<b>Lavara Geray Hinton</b>	Norinco Model SKS, 7.62x39mm caliber rifle
13	December 7, 2019	<b>Lavara Geray Hinton</b>	Savage Model Axis, .270 caliber rifle
14	December 12, 2019	<b>Lavara Geray Hinton; Leon Allison</b>	KBI Charles Daily 12 gauge shotgun; HiPoint Model JHP, .45 caliber handgun
15	December 18, 2019	<b>Lavara Geray Hinton</b>	Remington Model 760, 30-06 caliber rifle; Smith & Wesson Model M&P 15-22, .22 caliber rifle; Springfield Model XD, .40 caliber handgun
16	January 8, 2020	<b>Lavara Geray Hinton</b>	HiPoint Model 4595, .45 caliber rifle; HiPoint Model 995, 9mm caliber rifle; Winchester Model 95, 30-30 caliber rifle; Remington Model 870 Wingmaster, 12 gauge shotgun; Ithaca Model 4E, 20 gauge shotgun
17	January 29, 2020	<b>Lavara Geray Hinton</b>	Kahr Arms Model PM40, .40 caliber handgun; Rohm Model M66, .22 caliber handgun
18	February 18, 2020	<b>Lavara Geray Hinton</b>	Winchester Model 50, 12 gauge shotgun; Remington Model 66, .22 caliber rifle



19	March 5, 2020	<b>Lavara Geray Hinton</b>	Glock Model 19, 9mm caliber handgun; Smith & Wesson Model Shield, 9mm caliber handgun
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In violation of 18 U.S.C. § 924(c)(1)(A).

**NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE**

Pursuant to 21 U.S.C. § 853, 18 U.S.C. § 924(d) & 28 U.S.C. § 2461

As the result of committing the foregoing offenses alleged in this indictment, the defendants herein shall forfeit to the United States, pursuant to 21 U.S.C. § 853, 18 U.S.C. § 924(d) and 28 U.S.C. § 2461:

1. any property constituting, or derived from, and proceeds the defendants obtained, directly or indirectly, as the result of such violations;
2. any of the defendants' property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations, and/or;
3. any and all firearms, ammunition and accessories seized from the defendants.

**Cash Proceeds:**

A sum of money equal to \$100,000.00 in United States currency and all interest and proceeds traceable thereto, representing the amount of proceeds obtained by the defendants as a result of the offense(s) alleged in this indictment, for which the defendants are personally liable.

**Substitute Assets**

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value or;

- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property, including but not limited to all property, both real and personal owned by the defendants.

By virtue of the commission of the offenses alleged in this indictment, any and all interest the defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 21 U.S.C. § 853, 18 U.S.C. § 924(d) and 28 U.S.C. § 2461.

A TRUE BILL,

9/14/20  
Date

mick  
FOREPERSON OF THE GRAND JURY

STEPHEN J. COX  
UNITED STATES ATTORNEY

D. Ryan Locker  
D. RYAN LOCKER  
ASSISTANT U.S. ATTORNEY

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**NOTICE OF PENALTY**

**COUNT 1**

**Violation:**

21 U.S.C. § 846 (Conspiracy to possess with intent to distribute and distribution of a controlled substance (methamphetamine))

**Penalty:**

If 50 grams or more of methamphetamine (actual) its salts, isomers, and salts of its isomers or 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine - imprisonment of not less than 10 years, but not more than life, a fine not to exceed \$10 million (or twice any pecuniary gain to the defendant or loss to any victim), or both, and supervised release of at least 5 years, but not more than life;

If a defendant has a previous final conviction for a felony drug offense, said defendant shall be imprisoned not less than 15 years and not more than life; a fine not to exceed \$20,000,000, or both; and a term of supervised release of at least 10 years.

If a defendant has two previous final convictions for a felony drug offense, said defendant shall be imprisoned not less than 25 years and not more than life, fined up to \$20,000,000, or both; and a term of supervised release of at least 10 years.

Special Assessment: \$100.00

**COUNTS 2-19**

Violation: 18 U.S.C. § 924(c) (Use, carrying and possession of a firearm during and in furtherance of a drug trafficking crime)

Penalty: Imprisonment for not less than 5 years which must be served consecutively to any other term of imprisonment; a fine not to exceed \$250,000, or both; and a term of supervised release of not more than 5 years.

Special Assessment: \$100.00